

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LACARO ROQUE,

Case No. 08-13373

Petitioner,

v.

SENIOR UNITED STATES DISTRICT JUDGE
ARTHUR J. TARNOW

RANDALL HAAS,

MAGISTRATE JUDGE PAUL J. KOMIVES

Respondent.

/

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION [39]**

Now before the court is the Magistrate Judge's Report and Recommendation ("R&R") [39], entered on June 26, 2013, recommending the Court deny Petitioner's application for the writ of habeas corpus and deny Petitioner a certificate of appealability.

No objection to the Report and Recommendation [39] was filed. The Court has reviewed the record in this case.

The Report and Recommendation [39] of the Magistrate Judge is hereby **ADOPTED** and is entered as the findings and conclusions of the Court.

Accordingly,

IT IS ORDERED that Petitioner's application for the writ of habeas corpus is **DENIED**.

IT IS FURTHER ORDERED that Petitioner is **DENIED** a certificate of appealability.

SO ORDERED.

s/Arthur J. Tarnow
ARTHUR J. TARNOW
SENIOR U.S. DISTRICT JUDGE

Dated: July 31, 2013

CERTIFICATE OF SERVICE

I hereby certify on July 31, 2013 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on July 31, 2013: **Lacaro Roque**.

s/Michael E. Lang
Deputy Clerk to
District Judge Arthur J. Tarnow
(313) 234-5182